

REMARKS

The Office Action of May 20, 2009 identified three groups of claims and requested Applicants to elect one of these three groups of claims. In response, as indicated in the attached claim set, Applicant hereby elects Group I (claims 1-32) without traverse. No new matter is being introduced through these claims.

With regard to the election of species requirement, Applicant elects:

- a) Polymer is a hydrophobic hydrocarbon, which reads on all generic claims and claims 1-5, 12, and 15
- b) Vacuum, which reads on all generic claims and claims 6-7
- c) Gas polymer form, which reads on all generic claims and claim 9
- d) Drug containing polymer is a hydrophobic hydrocarbon, which reads on all generic claims and claim 15
- e) Drug is 4-[(4-methyl-1-piperazinyl)methyl]-N-[4-methyl-3-[[4-(3-pyridinyl)-2-pyrimidinyl]amino]-phenyl]benzamide methanesulphonate, which reads on all claims
- f) Hyaluronic acid, which reads on all generic claims and claims 25-26 and 28

Substantive examination is thus requested.

CONCLUSION

In view of the foregoing, the Applicants respectfully requests that the Examiner consider the claims as amended for examination on the merits. A timely allowance of the pending claims is requested.


If there are any fees due in connection with the filing of this Response and Amendment, please charge any necessary fees or credit any overpayments to Deposit Account No. 50-1349.

U.S. Application No. 10/577,932
Response and Amendment dated June 22, 2009
In response to Office Action dated May 20, 2009

The Examiner is invited to contact Applicants' undersigned attorneys by telephone to discuss any matters if the Examiner feels such discussions may expedite the progress of the present application toward allowance.

Respectfully submitted,

Dated: June 22, 2009

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